

SENATE No. 451

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen J. Buoniconti

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act ensuring access to life-saving colorectal cancer screenings.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Stephen J. Buoniconti	Hampden
Gale D. Candaras	First Hampden and Hampshire
Martha M. Walz	8th Suffolk
Stephen M. Brewer	Worcester, Hampden, Hampshire and Franklin
James B. Eldridge	Middlesex and Worcester
Marc R. Pacheco	First Plymouth and Bristol
Anthony W. Petrucci	First Suffolk and Middlesex
Susan C. Tucker	Second Essex and Middlesex
Bruce E. Tarr	First Essex and Middlesex
Anthony D. Galluccio	Middlesex, Suffolk and Essex
Linda Dean Campbell	15th Essex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT ENSURING ACCESS TO LIFE-SAVING COLORECTAL CANCER SCREENINGS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 110M the following section:-

Section 110N. Any policy, contract, agreement, plan or certificate of insurance issued, delivered or renewed within the commonwealth shall cover and reimburse for all colorectal cancer examinations and laboratory tests specified in current American Cancer Society (ACS) guidelines for colorectal cancer screening of asymptomatic individuals. Coverage or benefits shall be provided for all such colorectal screening examinations and tests that are administered at a frequency identified in the current ACS guidelines for colorectal cancer.

The coverage required under this section must meet the requirements set forth in subsection

(b).

(a) Benefits are provided under this section for a covered individual who is:

(1) At least fifty (50) years of age; or

(2) Less than fifty (50) years of age and at high risk for colorectal cancer

14 according to current colorectal cancer screening guidelines of the American
15 Cancer Society;

16 (b) To encourage colorectal cancer screenings, patients and health care providers must
17 not be required to meet burdensome criteria or overcome significant obstacles to
18 secure such coverage. An individual shall not be required to pay an additional
19 deductible or coinsurance for testing that is greater than an annual deductible or
20 coinsurance established for similar benefits. If the program or contract does not cover
21 a similar benefit, a deductible or coinsurance may not be set at a level that materially
22 diminishes the value of the colorectal cancer benefit required. Reimbursement to
23 health care providers for colorectal cancer screenings provided under this section
24 shall be equal to or greater than reimbursement to health care providers provided
25 under Title XVII of the Social Security Act (Medicare).

26 **SECTION 2.** Chapter 176A of the General Laws is hereby amended by inserting after
27 section 8AA the following section:-

28 Section 8BB. Any contract between a subscriber and the corporation under an individual or
29 group hospital service plan delivered or issued or renewed within the commonwealth shall
30 provide for the coverage of colorectal screening examinations and tests that are administered
31 at a frequency identified in the current American Cancer Society guidelines for colorectal
32 cancer as defined in, and subject to the requirements and limitations of, Chapter 175 Section
33 110N.

34 **SECTION 3.** Chapter 176B of the General Laws is hereby amended by inserting after
35 section 4AA the following section:-

36 Section 4BB. Any subscription certificate under an individual or group medical service
37 agreement delivered, issued or renewed within the commonwealth shall provide for the
38 coverage of colorectal screening examinations and tests that are administered at a frequency
39 identified in the current American Cancer Society guidelines for colorectal cancer as defined
40 in, and subject to the requirements and limitations of, Chapter 175 Section 110N.

41 **SECTION 4.** Chapter 176G of the General Laws is hereby amended by inserting after
42 section 4S the following section:-

43 Section 4T. Any individual or group health maintenance contract shall provide for the
44 coverage of colorectal screening examinations and tests that are administered at a frequency
45 identified in the current American Cancer Society guidelines for colorectal cancer as defined
46 in, and subject to the requirements and limitations of, Chapter 175 Section 110N.

47 **SECTION 5.** Chapter 32A of the General Laws is hereby amended by inserting after section
48 23 the following section:-

49 Section 24. Any coverage offered by the commission to any active or retired employee of the
50 commonwealth who is insured under the group insurance commission shall provide for the
51 coverage of colorectal screening examinations and tests that are administered at a frequency
52 identified in the current American Cancer Society guidelines for colorectal cancer as defined
53 in, and subject to the requirements and limitations of, Chapter 175 Section 110N.